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**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

091451.00147

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]  
on October 31, 2006

Signature Todd S. Hofmeister

Typed or printed name Todd S. Hofmeister, Ph.D.

In re Application of  
**Yakov KAMEN**

Application Number  
10/029,784

Filed  
October 19, 2001

For **METHOD AND APPARATUS FOR GENERATION  
OF A PREFERRED BROADCAST PROGRAMS LIST**

Art Unit  
2614

Examiner  
**Shirley CHANG**

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

11/01/2006 MBIZUNES 00000057 10029784  
01 FC:1401

\$ 500.00

☒ A check in the amount of the fee is enclosed. Check # 75016590

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-1794. I have enclosed a duplicate copy of this sheet.

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

☒ attorney or agent of record.  
Registration number 53,029

☐ attorney or agent acting under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

Signature Todd S. Hofmeister

Todd S. Hofmeister, Ph.D.  
Typed or printed name

312.715.5869  
Telephone number

October 31, 2006  
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Yakov Kamen

Serial No: 10/029,784

Examiner: Shirley Chang

Filing date: October 19, 2001

Art Unit: 2614

For: *Method and Apparatus for Generation of a Preferred Broadcast Programs List*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

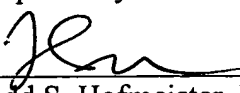
**NOTICE OF APPEAL  
FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS**

Sir:

Applicant hereby appeals to the Board of Appeals from the Office Action mailed May 1, 2006, finally rejecting claims 1-18. A check in the amount of \$1,520.00 to cover the fee for a three month extension of time and the filing of this Notice of Appeal is enclosed (large entity).

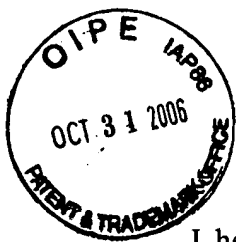
It is believed that no additional fee is required with this submission. However, should a fee be required, the Commissioner is hereby authorized to charge any additional fees to Deposit Account No. 50-1794. To facilitate this process, Applicants enclose a duplicate of this document.

Respectfully submitted,

  
\_\_\_\_\_  
Todd S. Hofmeister, Ph.D.  
Reg. No. 53,029

Date: October 31, 2006

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131 S. Dearborn Street  
Chicago, IL 60603  
(312) 715-5869  
(312) 578-6666 (fax)



**CERTIFICATE OF MAILING**

I hereby certify that this Notice of Appeal is being deposited with the United States Postal Service as Express Mail on October 31, 2006 in an envelope addressed to:

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**

  
\_\_\_\_\_  
Todd S. Hofmeister, Ph.D.

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